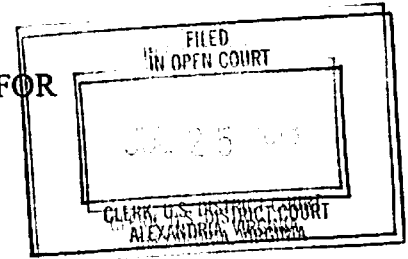


IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF VIRGINIA

## Alexandria Division



UNITED STATES OF AMERICA

**V.**

WILLIAM JOSEPH STUART,

**Defendant.**

CRIMINAL NO. 1:13-CR-317

**Count 1: 18 U.S.C. § 666(a)(1)(A)  
(Theft Concerning Programs Receiving  
Federal Funds)**

## Forfeiture Notice

**INDICTMENT**

July 2013 Term - At Alexandria

**THE GRAND JURY CHARGES THAT:**

**COUNT 1**

(Theft from an Organization Receiving Federal Funds)

**At all times relevant to this Indictment:**

## I. Introduction

1. The Remington Volunteer Fire & Rescue Department (“RVFD”) was an organization and agency of the Fauquier County, Virginia local government located in Fauquier County, Virginia, within the Eastern District of Virginia.

2. Both the RVFD and the Fauquier County, Virginia local government each have received during the one-year period beginning on or about July 1, 2008 and ending on June 30, 2009, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance.

3. William Joseph Stuart ("STUART"), was President of the RVFD and was an agent of the RVFD. During that time, defendant STUART had signature authority on numerous financial accounts in the name of RVFD at various financial institutions. Defendant STUART was further in charge of purchasing office equipment, furniture and electronics to outfit a newly renovated Fire Station for the RVFD.

## **II. The Theft**

4. From on or about September 2008 and continuing through on or about April 2009, in the Eastern District of Virginia and elsewhere, the defendant, STUART, being an agent of the RVFD, an organization and local government agency of the Fauquier County, Virginia local government, did intentionally embezzle, steal, obtain by fraud and otherwise without authority, convert to the use of the defendant, STUART, a person other than the rightful owner, property worth at least \$5,000, and owned under the care, custody, and control of the RVFD; to wit: Defendant STUART intentionally misapplied and embezzled funds belonging to the RVFD by issuing approximately 10 unauthorized checks to himself from the financial accounts of the RVFD, in the total amount of approximately \$40,132.  
(In violation of Title 18, United States Code, Section 666(a)(1)(A)).

**NOTICE OF FORFEITURE - THEFT FROM FEDERAL PROGRAM OFFENSE**

6. Pursuant to Rule 32.2(a), the defendant, William Joseph Stuart, is hereby notified that, upon conviction of a violation of Title 18, United States Code, Section 666(a)(1)(A), as alleged in Count 1, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, constituting or derived from proceeds traceable to the violation, including, without limitation, a sum of money equal to at least \$40,132 in United States currency, representing the amount of money involved in the violations of Title 18, United States Code, Section 666(a)(1)(A).

7. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section § 2461(c), the defendant shall forfeit substitute property up to the value of the property described in the previous paragraph if that property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of this Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

(All in accordance with Title 18, United States Code, Section 981(a)(1)(C); Title 28, United States Code, Section 2461(c); and Rule 32.2(a), Federal Rules of Criminal Procedure.)

DATED this \_\_\_\_ day of July 2013  
A TRUE BILL


Pursuant to the E-Government Act,  
the original of this page has been filed  
under seal in the Clerk's Office.

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Foreperson of the Grand Jury

Neil H. MacBride  
United States Attorney

By:

  
Mark D. Lytle

Assistant United States Attorney